THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.23122 OF 2006

BETWEEN:

Allam Supriya wife of Late Veera Venkata Satya Surya Sreenivas
…Petitioner

vs.

The District Collector, East Godavari District and other
..Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETTION NO.23122 OF 2006

ORAL ORDER

The notification dated.19-10-2006 under Sec.4(1) of the Land Acquisition Act,1894 (for short "the Act") proposing acquisition of agricultural land to an extent of Ac.5.28 in Sy.Nos.420/1,421,438/1,438/3 of Avidi village, Kothapeta Mandal, East Godavari District is assailed in this writ petition. The acquisition is for the purpose of providing house sites for weaker sections. Urgency clause has not been invoked and enquiry under Sec.5-A of the Act is scheduled to be hold.

The petitioner's grievance however is that though the land belongs to her and she is in possession and occupation of the same and land revenue receipts are also issued in the petitioner's favour, the name of her father-in-law is mentioned as the owner and person in occupation and possession of the land proposed to be acquired. The petitioner desires to lodge her objections to the acquisition. The petitioner got issued a legal notice on 28-10-2006 to the 2nd respondent, asserting interest in the land and requesting not to acquire the land and to hear her objections to the acquisition. The petitioner has not received any response is the complaint.

In the aforesaid circumstances the writ petition is disposed of directing the 2nd respondent to provide an opportunity to the petitioner to lodge her objections under Sec.5 of the Act. Any objections lodged by the petitioner shall be considered by the respondents before proceeding further towards acquisition. The respondents shall issue a

notice to the petitioner calling her upon to file objections to the acquisition process notified under Sec.4(1) of the Act, by registered post with acknowledgment due. No further action for acquisition of the property shall be taken by the respondents until a determination under Sec.5-A of the Act is taken and communicated to the petitioner and others interested, by registered post acknowledgment due. No order as to costs.

_____

GODA RAGHURAM,J

8th NOVEMBER 2006
***TSNR**